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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,772	12/11/2001	William T. O'Grady	10011044-1	9907

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AGILENT TECHNOLOGIES  
Legal Department, 51U-PD  
Intellectual Property Administration  
P.O. Box 58043  
Santa Clara, CA 95052-8043

EXAMINER

ORTIZ RODRIGUEZ, CARLOS R

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/014,772

Applicant(s)

O'GRADY ET AL.

Examiner

Carlos Ortiz-Rodriguez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 1/31/05 have been fully considered but they are not persuasive. Regarding claims 1 and 12 applicant's argument's point out that George does not disclose or suggest a plurality of virtual host interfaces, separate communication and process behavioral interfaces all being provided within a single control router. It should be noted that figure 1 of the George reference (USPN 5,657,252) shows a "control router" comprising elements 12 (router element), 14, 15, and 16. These elements are comprised within the control router. *(It is well known in the art for routers to include multiple processors and/or co-processors. See for example Ammitzboell U.S. Pub. No. 2002/0120769 Page 1 Paragraph 0008.)*

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-22 rejected under 35 U.S.C. 102(b) as being anticipated by George U.S Patent No. 5,657,252.

Regarding claim 1 and 12 George discloses an interface between an automation host and a plurality of tools used to perform a processing step, the interface comprising: a single communications and process behavioral connection interface to the automation host (Fig 1 and

C2 L58-65, single interface connection to SEMI GEM compliant SECS-II Host 10; the GEM standard defines process behavioral, SECS is a coordinated pair of standards that defines a serial communications interface between equipment and a host.); and, a plurality of virtual host interfaces (element 16), each virtual host interface from the plurality of virtual host interfaces providing a communications and process behavioral interface to one of the tools (SEMI GEM compliant tools 18) in the plurality of tools (SEMATECH's Virtual Equipment Interface VFEI provides the interface; C3 L 58-61); wherein the automation host can control and coordinate operation of all tools in the plurality of tools via the single communications and process behavioral connection interface (C5 L 33-37). (For further reference also see VFEI Concepts section of Virtual Factory Equipment Interface: Version 2.2).

George implicitly discloses that all the interfaces are implemented within a single control router. Figure 1 of the George reference (USPN 5,657,252) discloses a "control router" comprising elements 12 (router element), 14, 15, and 16. These elements are comprised within the control router. *(It is well known in the art for routers to include multiple processors and/or co-processors. See for example Ammitzboell U.S. Pub. No. 2002/0120769 Page 1 Paragraph 0008.)*

Regarding claim 2 and 13, a number of virtual host interfaces is variable depending upon a number of tools in the plurality of tools is inherent to George (Fig 1 plurality Factory Equipment 18).

Regarding claims 3 and 14, George discloses an interface wherein the plurality of virtual

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host interfaces implement different communications and process behavioral interface for different tools from the plurality of tools (C3 L20-65).

Regarding claims 4 and 15, the single communications and process behavioral connection interface makes the plurality of tools appear to the automation host as a single tool is inherent to George (Fig 1 element 12).

Regarding claims 5-7 and 16-18 a state machine scenario determinator that aggregates process state models for the plurality of tools into a single process state model, aggregates control state models for the plurality of tools into a control process state model, and aggregates port state models for the plurality of tools into a single port state model is inherent to George (C3 L58-63).

Regarding claims 8 and 19, George discloses a process variables set and variable identification numbers of tools from the plurality of tools are aggregated into a single process variable set and variable identification number range for the plurality of tools (C7 L19-38).

Regarding claims 9 and 20, George discloses a host concentrator that aggregates communication message sets of individual tools from the plurality of tools into a single communications message set for the plurality of tools (C1 L50-61).

Regarding claims 10 and 21, George discloses each virtual host interface from the

plurality of virtual host interfaces is compliant with the Semiconductor Equipment Manufacturers Institute (SEMI) generic equipment model (GEM) interface requirements (C2 L58-65 and C5 L30-44).

Regarding claims 11 and 22, George discloses the single communications and process behavioral connection interface to the automation host is compliant with the Semiconductor Equipment Manufacturers Institute (SEMI) generic equipment model (GEM) interface requirements (C2 L58-65 and C5 L30-44).

#### *Citation of Pertinent Prior Art*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents/publications are cited to further show the state of the art with respect to virtualized generic equipment model data and control router for factory automation:

- a. U.S. Pat. No. 5,951,649 to Dobbins et al., which discloses network interconnecting apparatus having a separate forwarding engine object at each interface.
- b. U.S. Pat. No. 6,330,614 to Aggarwal et al., which discloses internet and related networks.
- c. U.S. Pat. No. 6,452,925 to Sistanizadeh et al., which discloses universal access multimedia data network.
- d. U.S. Pub. No. 2002/0120769 to Ammitzboell, which discloses multicast traffic control protocol pruning in a layer 2 switch.

e. U.S. Pat. No. 2002/0174211 to Ishizaki et al., which discloses integrated services management system.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is (571) 272-3747. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P Picard can be reached on (703)308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Carlos Ortiz-Rodriguez  
Patent Examiner  
Art Unit 2125

  
*Paul L. Rodriguez*

**Primary Examiner**  
**Art Unit 2125**

cror

May 2, 2005